

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 51116	<b>FOR FURTHER ACTION</b> See item 4 below	
International application No. PCT/IL2004/000466	International filing date ( <i>day/month/year</i> ) 01 June 2004 (01.06.2004)	Priority date ( <i>day/month/year</i> ) 05 June 2003 (05.06.2003)
International Patent Classification (IPC) or national classification and IPC H04N 7/16		
Applicant NDS LIMITED		

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<p>1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.</p>																
<p>3. This report contains indications relating to the following items:</p> <table> <tr> <td><input checked="" type="checkbox"/> Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/> Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/> Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/> Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/> Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/> Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/> Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> <p>4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).</p>	<input checked="" type="checkbox"/> Box No. I	Basis of the report	<input type="checkbox"/> Box No. II	Priority	<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/> Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/> Box No. VI	Certain documents cited	<input type="checkbox"/> Box No. VII	Certain defects in the international application	<input type="checkbox"/> Box No. VIII	Certain observations on the international application
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The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 740 14 35	Date of issuance of this report 08 December 2005 (08.12.2005)
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# PATENT COOPERATION TREATY

REC'D 20 JUL 2005

From the  
INTERNATIONAL SEARCHING AUTHORITY

PCT

WIPO

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## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference 51116		Date of mailing (day/month/year) <b>18 JUL 2005</b> <b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No. PCT/IL04/00466	International filing date (day/month/year) 01 June 2004 (01.06.2004)	Priority date (day/month/year) 05 June 2003 (05.06.2003)
International Patent Classification (IPC) or both national classification and IPC IPC(7): H04N 7/16 and US Cl.: 725/141		
Applicant NDS LIMITED		

**1. This opinion contains indications relating to the following items:**

- ☒ Box No. I      Basis of the opinion
- ☐ Box No. II      Priority
- ☐ Box No. III      Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV      Lack of unity of invention
- ☒ Box No. V      Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI      Certain documents cited
- ☐ Box No. VII      Certain defects in the international application
- ☐ Box No. VIII      Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

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Authorized officer

Ngoc K. Vu

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Form PCT/ISA/237 (cover sheet) (January 2004)

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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/IL04/00466

**Box No. I Basis of this opinion**

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_ which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ in written format

☐ in computer readable form

c. time of filing/furnishing

☐ contained in international application as filed.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/IL04/00466

**Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims <u>43</u>	YES
	Claims <u>1-42 AND 44-74</u>	NO
Inventive step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-74</u>	NO
Industrial applicability (IA)	Claims <u>1-74</u>	YES
	Claims <u>NONE</u>	NO

**2. Citations and explanations:**

Claims 1-42 and 44-74 lack novelty under PCT Article 33(2) as being anticipated by Rajamaki et al. (US 20030038893 A1). With respect to claims 1-42 and 44-74, Rajamaki teaches a method and system including a broadcast receiver, i.e., set top box or mobile terminal coupled to a television or a telephone. The method and system are provided for generating a background image for television, computer monitor or other device. Particularly, while viewing a television program received from a cable television provider, satellite television provider or other source, the user may see a picture that the user would like to store as a background screen for television or other device, i.e., computer device. The user may make a selection with remote control to select the picture. After receiving a capture command, the video stream is monitored and the next picture frame that has complete picture information is identified. The capture command may come from a mobile phone terminal, computer terminal, remote control or other device. After a proper picture frame is identified, the picture frame is stored in a memory. The picture frame may be retrieved from memory and transmitted to display buffer or video encoder to be displayed on television or other external device monitor. Rajamaki also teaches that the user may view prompts on the television screen instructing the user to enter information to make the association. Rajamaki further discloses that computer device may use the video and audio data to customize user interface screens, backgrounds. Computer device may also convert the video and audio data to other formats and transmit data to other entities connected to the Internet, e.g., as attachments to email messages (see 0026 to 0032 and 0043 to 0047).

Claim 43 lacks an inventive step under PCT Article 33(3) as being obvious over Rajamaki et al. (US 20030038893 A1). With respect to claim 43, Rajamaki does not teach producing an indication of agreement by a user to pay for the transmitting. It is noted that providing information of agreement by a user to pay for a service is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rajamaki by providing information of agreement by a user to pay for a service for security purposes.

Claims 1-74 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.